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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] Fax to (571) 273-5300 on <u>JANUARY 20, 2006</u>		Application Number <u>09/664,460</u>	Filed <u>09/18/2000</u>
Signature <u>Anne Vachon Dougherty</u>		First Named Inventor <u>CHAPMAN, JR.</u>	
Typed or printed name <u>Anne Vachon Dougherty</u>		Art Unit <u>2684</u>	Examiner <u>S.R. SHARMA</u>
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the			
<input type="checkbox"/>	applicant/inventor.	<u>Anne Vachon Dougherty</u> Signature	
<input type="checkbox"/>	assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Anne Vachon Dougherty</u> Typed or printed name	
<input checked="" type="checkbox"/>	attorney or agent of record. Registration number <u>30,374</u>	<u>(914) 962-5910</u> Telephone number	
<input type="checkbox"/>	attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	<u>January 20, 2006</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/>	*Total of <u>1</u> forms are submitted.		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The present invention comprises means for dynamically associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number; means for accepting one of the wireless devices as the answerer of said first incoming call to conduct the first incoming call with the wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number while the first call is in progress. In operation, the present invention dynamically associates a single called telephone number with more than one wireless device, and then, after accepting one wireless device as the answerer of a first call, dynamically associates a second telephone call to the same number with a different wireless device. Accordingly, two different telephone calls to the same telephone number can be conducted at the same time by dynamic connection to two different wireless devices.

The Examiner has erred in maintaining a rejection under 35 USC 102 as anticipated by the Hashimoto patent. The Hashimoto patent is directed to a system wherein calls along a PSTN can be directed to one cordless station or to a group of cordless stations, depending upon whether the call is an individual call

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or a group call. The Hashimoto system includes a controller at a PBX which is connected to the PSTN, a plurality of radio control units at the PBX, a plurality of access units remotely located and one cordless unit associated with each access unit. In operation, the Hashimoto radio control unit/controller receives a call which is either a call to a single cordless station or a group call to all of the cordless stations. Hashimoto teaches that signals passed between the radio control unit and the access units and between the access units and the cordless stations contain a field indicating the type of call and a data field with a called station address number or a group address number (see: Col. 3, lines 45-48). In addition, Hashimoto teaches that "in response to an individual call, only one uniquely addressed cordless station is alerted" (see: Col. 3, lines 20-22). Hashimoto clearly teaches that a call to a single cordless station can only be connected to the one single cordless station identified by the called station address number and that a group call, which is directed to a group address number, is sent to all cordless stations. Accordingly, it cannot be maintained that Hashimoto anticipates claim language which expressly recites that two different calls, first incoming call and second incoming call, to the same single telephone number, are dynamically associated with two different wireless devices at the same time, while the first incoming call is still in progress.

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The Examiner has erred by citing the same Hashimoto patent teachings from Fig. 1 and from Col. 4, lines 30-57 against multiple different claim features, and has erred by re-stating the claim language to fit the rejection. The Examiner cites the Hashimoto patent teachings from Col. 4, lines 30-57 against "a method of associating a called telephone number with at least two wireless devices and means for alerting the at least two wireless devices associated with the called telephone number of the incoming call" and against the "means for accepting...". Applicants note that the claim does not recite "a method of associating a called telephone number..." The Examiner has inappropriately re-phrased the claim language. Further, Applicants contend that one feature of Hashimoto cannot anticipate two distinctly claimed features of the claimed node. The Examiner analogizes the Hashimoto radio control unit (3 of Fig. 1) to the network node device which is recited in Claim 1. However, the radio control unit of Hashimoto does not include the seven claim features. For example, a Hashimoto access unit (4 of Fig. 1), which the Examiner analogizes to the one or more wireless signal generators that are part of the network node as claimed, is a stand-alone unit which is contacted by the radio control units. The Examiner has erred in concluding that the radio control unit anticipates the network node since the radio control unit does not include the access unit; does not associate a call made to a single called telephone number to more than one

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wireless device; and, does not directly connect with the wireless devices. Hashimoto does not directly alert the wireless devices associated with a single called telephone number of an incoming call. Rather, the radio control unit of Hashimoto sends signals to the access units and the access units establish control and speech channels with the wireless devices. The Hashimoto system does not include means for dynamically associating an incoming call to a single called telephone number with at least two wireless devices. Rather, as demonstrated by the citations from Hashimoto above, the Hashimoto determines that a call is to a group address and routes it to all access units and their associated cordless stations; or, determines that a call is an individual call and alerts only one uniquely addressed cordless station (Col. 3, lines 17-22). Hashimoto is using the station address number or group address number (see: Col. 3, lines 45-48) as telephone numbers which indicate the intended call destination. Clearly, Hashimoto is not dynamically associating a call to a single called telephone number (i.e., an individual call) to more than one wireless device and is not directing first and second incoming calls to that single telephone number to different wireless devices at the same time (i.e., while the first call is in progress). Finally, Hashimoto does not provide any teachings which anticipate the claimed means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated

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with that telephone number whilst the first call is in progress. Hashimoto can only direct a call to more than one cordless station if the call is a group call to a group telephone number. It does not dynamically associated different calls, placed to the same single telephone number, to different wireless devices, let alone doing so while a first call to the number is still ongoing.

For a patent to anticipate claim language under 35 USC 102(b), that patent must teach each and every claim feature. Since the Hashimoto patent does not teach all of the claim features, it cannot be maintained that Hashimoto anticipates the invention as claimed, and the final rejections should be withdrawn.

In rejecting Claims 4, 5, 7, 11, and 18-20, the Examiner has additionally cited the Antonello and Chambers patents. The Antonello patent is cited for use of memory in the network control unit to include long term storage of information and Chambers is cited for power supply teachings. Neither teach the claim features missing from Hashimoto. Since the cited references do not teach or suggest all of the claim features, then the Examiner has failed to establish a *prima facie* case of obviousness (*In re Wilson*, 424 F. 2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). Accordingly, Applicants request withdrawal of the final rejections based on a combination of teachings from Hashimoto with Antonello and/or Chambers.